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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|--|------------------|
| 10/623,288 | 07/17/2003 | Walter E. Lillo | D-426 | 4128 |
| 7590 Carole A. Mulchinski The Aerospace Corporation 2350 East El Segundo Boulevard Mail Stop M1/040 El Segundo, CA 90245 | | 06/26/2007 | EXAMINER MALEK, LEILA | |
| | | | ART UNIT 2611 | PAPER NUMBER |
| | | | MAIL DATE 06/26/2007 DELIVERY MODE PAPER | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | |
|------------------------------|------------------------|---------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 10/623,288 | LILLO, WALTER E. |
| | Examiner | Art Unit |
| | Leila Malek | 2611 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 24 May 2007.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 3-6 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) _____ is/are rejected.
 7) Claim(s) 3-6 is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 07/17/2003 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO/SB/08)
 Paper No(s)/Mail Date _____.
 4) Interview Summary (PTO-413)
 .Paper No(s)/Mail Date. _____.
 5) Notice of Informal Patent Application
 6) Other: _____

DETAILED ACTION***Response to Amendment***

1. This office action is in response to the amendments received on 05/24/2007.

Specification

2. The disclosure is objected to because of the following informalities: The specification contains numerous typos and errors. The specification needs to be revised.

Claim Objections

3. Claim 3 is objected to because of the following informalities: in claim 3, last paragraph, "the system communicating to the detection receiver and to the first code receiver" is vague. Because according to Fig. 1, Transmitter (and not the whole system) communicates to the detection receiver and to the first code receiver. Also "the system selectively communicating to the detection receiver and not the first code receiver during the second time period" needs to be fixed as well. Appropriate correction is required.

Allowable Subject Matter

4. The following is a statement of reasons for the indication of allowable subject matter: a comprehensive search of prior art of record failed to disclose, either alone or in combination, a communication system for broadcasting a channel signal, the system comprising: a detection receiver for receiving a channel signal having a modulated carrier for communicating first messages using a first spreading code and communicating second messages using a

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second spreading code; a transmitter for broadcasting the channel signal by modulating a carrier by the first spread spectrum signal during a first time period and by the second spread spectrum signal during the second time period, and a first code receiver for receiving the first message during the first time period, the transmitter communicating to the detection receiver and to the first code receiver during the first time period, the transmitter selectively communicating to the detection receiver and not the first code receiver during the second time period..

Conclusion

5. This application is in condition for allowance except for the following formal matters: see above.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 25 USPQ 74, 453 O.G. 213, (Comm'r Pat. 1935).

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leila Malek whose telephone number is 571-272-8731. The examiner can normally be reached on 9AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ghayour can be reached on 571-272-3021. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

M. G.
MOHAMMED GHAYOUR
SUPERVISORY PATENT EXAMINER

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Leila Malek
Examiner
Art Unit 2611

L.M.